

REMARKS

The Applicant has carefully reviewed the Office Action mailed July 15, 2009 and offers the following remarks to accompany the above amendments.

Claims 1, 2, 5, 7, 8, 14, 16-20, 23, 25, 26, 32, and 34-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,603,965 B1 to *Dinkin* (hereinafter “*Dinkin*”) in view of U.S. Patent Application Publication No. 2002/0106994 A1 to *Payne et al.* (hereinafter “*Payne*”) and further in view of U.S. Patent No. 7,184,418 B1 to *Baba et al.* (hereinafter “*Baba*”). The Applicant respectfully traverses the rejection.

When rejecting a claim under 35 U.S.C. § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.¹ The gap between the prior art and the claimed invention may not be “so great as to render the [claim] nonobvious to one reasonably skilled in the art.”² Here, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art. More specifically, claim 1 has been amended to recite a mobile terminal comprising a control system adapted to, among other features, register with a service node in association with a first address when a wired connection is available via a first interface and register with the service node in association with a second address associated with a second interface “in response to the determination that communications via the first interface will no longer be possible prior to the wired connection via the first interface becoming unavailable.” Claim 19 has been amended to include similar features.

The Applicant submits that none of the references, either alone or in combination, disclose or suggest registering with a service node in association with a second address for a second interface in response to the determination that communications via a first interface will no longer be possible prior to a wired connection via the first interface and a first address becoming unavailable. The Applicant submits that *Dinkin* does not disclose or suggest this

¹ Examination Guidelines for Determining Obviousness Under 35 U.S.C. § 103 in View of the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.*, published in the Federal Register, Vol. 72, No. 195, pages 57526-57535.

² *Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q. (BNA) 257, 261 (1976).

feature. At most, *Dinkin* discloses that a connected party is connected to a conference room via more than one link so that one link acts as a primary link and the other link acts as a secondary/standby link.³ However, *Dinkin* does not disclose or suggest registering with a service node in association with a second address for a second interface in response to a determination that communications via a first interface will no longer be possible prior to a wired connection via the first interface and a first address becoming unavailable.

Payne also does not disclose or suggest registering with a service node in association with a second address for a second interface in response to the determination that communications via a first interface will no longer be possible prior to a wired connection via the first interface and a first address becoming unavailable. *Payne* discloses a mobile phone handset that is capable of communicating via a POTS line, a conventional mobile phone network, and a LAN connection.⁴ Furthermore, *Payne* discloses determining if a POTS line connection or a LAN connection is present for a mobile phone handset.⁵ Nonetheless, *Payne* does not disclose or suggest registering with a service node in association with a second address for a second interface in response to the determination that communications via a first interface will no longer be possible prior to a wired connection via the first interface and a first address becoming unavailable.

In addition, *Baba* does not disclose or suggest these features. *Baba* generally relates to providing mobility support from a first network to a second network.⁶ Nonetheless, *Baba* does not disclose or suggest registering with a service node in association with a second address for a second interface in response to the determination that communications via a first interface will no longer be possible prior to a wired connection via the first interface and a first address becoming unavailable. Accordingly, claims 1 and 19 are patentable over the cited references and the Applicant requests that the rejection be withdrawn. Likewise, claims 2, 5, 7, 8, 14, 16-18, 20, 23, 25, 26, 32, and 34-38, which depend from either claim 1 or claim 19, are patentable for at least the same reasons along with the novel features recited therein.

³ See *Dinkin*, col. 2, ll. 51-54.

⁴ See *Payne*, paragraphs [0039] – [0044].

⁵ See *Payne*, Figure 3 and paragraphs [0039] and [0042].

⁶ See *Baba*, col. 5, ll. 9-64.

Claims 9-11, 13, 15, 27-29, 31, and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dinkin* in view of *Payne* and *Baba* and further in view of U.S. Patent Application Publication No. 2004/0259544 A1 to *Amos* (hereinafter "*Amos*"). The Applicant respectfully traverses the rejection.

As noted above, claims 1 and 19, the base claims from which claims 9-11, 13, 15, 27-29, 31, and 33 ultimately depend, are patentable over *Dinkin*, *Payne*, and *Baba*. In addition, *Amos* does not address the previously noted deficiencies of *Dinkin*, *Payne*, and *Baba*. As such, claims 9-11, 13, 15, 27-29, 31, and 33 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

The present application is now in a condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact the Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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